GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

EFS&T Department - Diversion of 4.42 Ha of forest land in Damarasingi RF for excavation of Tunnel under Tharakarama Thirtha Sagaram Reservoir Project, in favour of Executive Engineer, T.R.T.S. Division Vizianagaram - Permission accorded - Orders - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Section-II) DEPARTMENT

G.O.MS.No. 79 **Dated: 27-07-2018**
Read the following:-

1. From PCCF & HoFF, A.P Lr Rc.No.20268/2008-FCA-1, Dt.3-06-2016.
2. State Govt. Lr.No.7659/Section-II/2008, Dated: 9-8-2016
3. From GoI, MoEF& C.C, Lr.No.4-APB019/2016-CHN/2152, Dt.1-11-2016.
4. State Govt. Lr.No.7659/Section-II/2008, Dated:22-6-2018.
5. From GoI, MoEF& C.C, Lr.No.4-APB019/2016-CHN/1065, Dt.10-7-2018

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ORDER:

The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh in his letter 1st read above, had submitted a proposal under Forest (Conservation) Act, 1980, for diversion of 4.42 Ha of forest land in Damarasingi RF for excavation of Tunnel under Tharakarama Thirtha Sagaram Reservoir Project, in favour of Executive Engineer, Tharakarama Thirtha Sagaram Reservoir Project Division, Vizianagaram and requested to forward the same to Government of India, Ministry of Environment, Forests, & Climate Change, for according necessary approval under Section-2 of Forest (Conservation) Act, 1980.

2. The said proposal was sent to Government of India, Ministry of Environment, Forests, & Climate Change, for their approval under Section-2 of Forest (Conservation) Act, 1980 vide State Government letter 2nd read above.

3. Government of India, Ministry of Environment, Forests, & Climate Change, vide their letter 3rd read above, have accorded in-principle (Stage-I) approval under Section-2 of Forest (Conservation) Act, 1980, for the proposal, subject to compliance of certain conditions as stipulated therein.

4. Accordingly, the State Government vide letter 4th read above, have furnished the compliance report on the conditions stipulated by the Government of India Ministry of Environment, Forests, & Climate Change, while according in-principle (Stage-I) approval.

5. Government of India, Ministry of Environment, Forests, & Climate Change in their letter 5th read above, have accorded (Stage-II) approval under Section- 2 of Forest (Conservation) Act, 1980, for diversion of 4.42 Ha of forest land in Damarasingi RF for excavation of Tunnel under Tharakarama Thirtha Sagaram Reservoir Project, in favour of Executive Engineer, T.R.T.S. Division Vizianagaram, subject to compliance of certain conditions as stipulated therein.

6. Government after careful examination of the proposal, hereby accord permission to the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh for diversion of 4.42 Ha of forest land in Damarasingi RF for excavation of Tunnel under Tharakarama Thirtha Sagaram Reservoir Project, in favour of Executive Engineer, T.R.T.S. Division Vizianagaram, subject to the following conditions:-

i. Legal status of the diverted forest land shall remain unchanged.

(Contd-2)

ii. The Compensatory Afforestation (CA) work & its maintenance shall be carried out by the State Forest Department in the entire non forest land identified over 11.00 acres or 4.452 Ha in Sy. No.1/3, Kumili Village, Vizianagaram District from the amount which has already been realized from the user agency.

iii. Non –forest land which needs to be transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation shall be declared as Reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant section (s) of the State Forest Act. The Nodal Officer shall report compliance within a period of six months from the date of grant of final approval and send a copy of the original notification to the MoEF&C.C, Regional office, Chennai for information and record;

iv. Additional amount of the Net Present Value (NPV) of the diverted forest land, if any becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be realized by the State Government from User Agency.

v. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.

vi. User agency shall ensure that the labourers, staff engaged in construction activity do not damage nearby forest flora and fauna;

vii. User Agency shall provide firewood preferably alternate fuel to the labourers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest areas;

viii. User Agency shall bear the cost of protection of the forest blocks through which the line is passing, as per the assessment of Divisional Forest Officer, Vizianagaram Division;

ix. User Agency shall carry out mitigation measures to prevent soil erosion at the project cost;

x. Felling shall be restricted to removal of trees only where it is necessary. Wherever feasible the State Forest Department shall carry out translocation of trees instead of resorting to felling, at the cost of user agency;

xi. The forest land proposed for diversion, shall under no circumstances be transferred / sublet to any other agency, department or person without prior approval of the Central Government.

xii. The total forest area utilized for the project shall not exceed 4.42 Ha and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal;

xiii. All other conditions proposed by the State Government at the time of submission of the proposal to the Government of India shall be complied with by the user agency.

xiv. Any other conditions that the Central Government or the Additional Principal Chief Conservator of Forests (Central), Regional Office, Chennai may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the user agency.

xv. The user agency shall submit the annual self compliance report in respect of the above conditions to the State Government and to the Regional Office, regularly;

xvi. In the event of failure to comply with any of the above conditions the user agency is liable for penal action as decided by the Additional PCCF (Central), Regional Office, Chennai.

(Contd-3)

7. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.ANANTHA RAMU
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests & Head of Forest Force,
Andhra Pradesh, Guntur.

Copy to:
The Additional Principal Chief Conservator of Forests (Central)
Government of India, Ministry of Environment & Forests,
Regional Office, 1st and 2nd Floors,
Handloom Export promotion Council Building
34, Cathedral Garden Road, Nungambakkam, Chennai – 600034.

The Executive Engineer,
Tharakarama Thirtha Sagaram Reservoir Project,
T.R.T.S. Division Vizianagaram

P.S to Hon'ble Minister (EFS&T)

P.S to Principal Secretary to Government, EFS&T Dept.,

SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER